

Remarks

Claims 141-146, 148, 150-168, 170-175, 179, and 181-204 are pending in the present application.

Claims 1-140, 147, 149, 169, 176-178, and 180, have been cancelled without prejudice or disclaimer. Claims 184-204 have been newly added.

Claims 141-158, 170-171, and 180, have been rejected.

Claims 159-167, 172-173, 176-179, and 181-183, have been objected to as being dependent upon a rejected base claim. Applicant thanks the Examiner for indicating Claims 159-167, 172-173, 176-179, and 181-183, allowable if rewritten in independent form including all of the limitations of any intervening claim.

Independent claim 141 has been amended to recite that the agent comprises one or more members selected from the group consisting of a high-density lipoprotein; a reconstituted high-density lipoprotein; and a combination of non-cholesterol lipid components capable of reconstituting a high-density lipoprotein comprising one or more of a sphingolipid and a phospholipid, and one or more of a glyceride and a triglyceride. Claims 142-146, 148, 150-168, 170-175, 179, and 181-183, are directly or indirectly dependent on claim 141. Support for claim 141 as amended, appears throughout the specification and claims as originally filed. No new matter has been added.

Dependent claims 142-146, 148, 150-153, 157-168, 170-175, 179, and 181-183, have been amended to more clearly set forth the claimed subject matter. Support for the claims as amended, appears throughout the specification and claims as originally filed. No new matter has been added.

New claims 184-197 correspond to objected to claims 159-167, 172-173, and 181-183, written in independent form and including all of the limitations of any intervening claims. New claims 184-186 correspond to objected to claims 159-161, respectively. New claims 187-192 correspond to objected to claims 162-167, respectively. New claims 193-194 correspond to objected to claims 172-173, respectively. New claims 195-197 correspond to objected to claims 181-183, respectively. Support for new claims 184-197 appears throughout the specification and claims as originally filed. No new matter has been added.

New claims 198-201 are directed to a method for treating disorders of the anterior segment of the eye comprising administering to a subject in need of such treatment a therapeutically effective amount of a composition comprising one or more high-density lipoproteins selected from the group consisting of a natural high density lipoprotein; and a reconstituted high density lipoprotein.

New claim 202 is directed to a method for treating disorders of the anterior segment of the eye comprising administering to a subject in need of such treatment a therapeutically effective amount of a composition comprising a combination of non-cholesterol lipid components capable of reconstituting a high-density lipoprotein comprising one or more of a sphingolipid and a phospholipid, and one or more of a glyceride and a triglyceride.

New claim 203 is directed to a method for treating disorders of the anterior segment of the eye comprising administering to a subject in need of such treatment a therapeutically effective amount of a composition comprising Lipofundin®. New claim 204 is directed to a method for treating disorders of the anterior segment of the eye comprising administering to a subject in need of such treatment a therapeutically effective amount of a composition comprising a therapeutically effective amount of Intralipid®.

Claims 198-204 find support throughout the specification and claims as originally filed. No new matter has been added.

In view of the remarks set forth herein, further and favorable consideration is respectfully requested.

I. At page 2 of the Official Action, claim 168 has been rejected as being indefinite under 35 USC § 112, 2nd ¶.

At page 2 of the Official Action, the Examiner asserts that claim 168 is indefinite because the phrase "at least one agent is associated with net cellular efflux of cholesterol," does not "set for the intended meaning." Accordingly, claim 168 has been amended to recite "wherein the agent causes a net efflux of cholesterol from cells."

In view of the above, it is submitted that amended claim 168 is clear and definite within the meaning of 35 USC § 112, 2nd paragraph. Thus, the Examiner is respectfully requested to withdraw this rejection.

II. At page 2 of the Official Action, claims 141-158, 170-171, and 180, have been rejected under 35 USC § 103(a) as being obvious over WO 91/12808 ("Hills et al.").

At page 3 of the Official Action, the Examiner asserts that it would have been obvious to a person skilled in the art to employ the claimed phospholipids in view of the protective and lubricant activity of such agents as taught by the prior art. In view of the following, this rejection is respectfully traversed.

Claim 141 has been amended to recite that the agent comprises comprising one or more members selected from the group consisting of a high-density lipoprotein; a reconstituted high-density lipoprotein; and a combination of non-cholesterol lipid components capable of reconstituting a high-density lipoprotein comprising one or more of a sphingolipid and a phospholipid, and one or more of a glyceride and a triglyceride.

Claims 142-146, 148, 150-158, and 170-171, are directly or indirectly dependent on amended claim 141. Claims 147, 149, and 180, have been canceled without prejudice or disclaimer.

Hills et al. describes the use of phospholipids as eye lubricants. Hills et al. also describes the use of a composition containing a phospholipid and hyaluronic acids or its salts. Hills et al. does not teach or suggest administering an agent comprising a high-density lipoprotein, an agent comprising a reconstituted high-density lipoprotein, or an agent comprising a combination of non-cholesterol lipid components capable of reconstituting a high-density lipoprotein comprising one or more of a sphingolipid and a phospholipid, and one or more of a glyceride and a triglyceride, as recited in amended claim 141.

Hills et al. does not teach or suggest administering a composition comprising a high-density lipoprotein to treat disorders of the anterior segment of the eye, as claimed in new claims 198-201.

Hills et al. does not teach or suggest administering a therapeutically effective amount of a composition comprising a combination of non-cholesterol lipid components capable of reconstituting a high-density lipoprotein comprising one or more of a sphingolipid and a phospholipid, and one or more of a glyceride and a triglyceride, as claimed in new claim 202.

Hills et al. does not teach or suggest administering a therapeutically effective amount of a composition comprising Lipofundin® or Intralipid®, to treat disorders of the anterior segment of the eye, as claimed in new claim 203-204.

Thus, in view of the above, Applicants respectfully submit that claims 141 and all of the claims that depend directly and indirectly therefrom, as well as new claims 198-204, are allowable.

In view of the foregoing, it is submitted that nothing in Hills et al. renders the claimed invention obvious within the meaning of 35 USC § 103. Accordingly, the Examiner is respectfully requested to withdraw this rejection.

III. At page 3 of the Official Action, claims 159-167, 172-173, 176-179, and 181-183, have been objected to as being dependent on a rejected claim.

Claims 159-167, 172-173, 176-179, and 181-183, have been objected to as being dependent on a rejected claim.

Objected to claims 159-167, 172-173, and 181-183, have been written in independent form, including all of the limitations of any intervening claims, as new claims 184-197. New claims 184-186 correspond to objected to claims 159-161, respectively. New claims 187-192 correspond to objected to claims 162-167, respectively. New claims 193-194 correspond to objected to claims 172-173, respectively. New claims 195-197 correspond to objected to claims 181-183, respectively. Claims 176-178 have been canceled without prejudice or disclaimer.

It is submitted that new claims 184-197 corresponding to the objected to claims, are allowable.

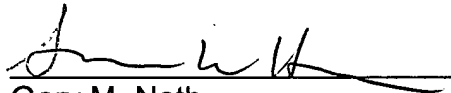
Conclusion

In view of the remarks set forth herein, Applicant submits that the pending claims are in condition for immediate allowance. The Examiner is invited to contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

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